

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

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U.S. DISTRICT COURT

2007 DEC 11 PM 4:51

TEXAS-EASTERN

GERALD DEMARSH, SR.,

Plaintiff,

v.

MARTEY BARLOW, et al.,

Defendants.

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CASE NO. 4:07CV174

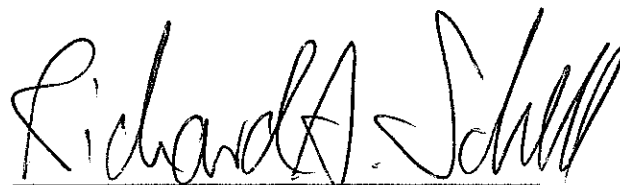
**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 21, 2007, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' Motions to Dismiss (Dkts. 15, 20, and 23) be granted and Plaintiff's case be dismissed with prejudice.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court. Therefore, Defendants' Motions to Dismiss (Dkt. 15, 20, and 23) are GRANTED, and Plaintiff's case is dismissed with prejudice. All other relief not expressly granted is denied.

IT IS SO ORDERED.

SIGNED this 6th day of ^{December}~~November~~, 2007.



RICHARD A. SCHELL
U. S. DISTRICT JUDGE